MINUTES OF BOARD MEETING HELD ON MARCH 20, 1984

A meeting of the New York State Racing and Wagering Board was held on March 20, 1984 at 10:30 a.m. at the Board office, Two World Trade Center, New York, New York 10047.

The meeting being called on March 18, 1984, public notice of the m-eting was given to the Associated Press and UPI and to the public by posting in the Board's reception area on the 74th Floor and also on the 44th Floor.

PRESENT:

John Van Lindt, Chairman Bertram Sarafan, Member Michael Lee, Member

ALSO PRESENT:

Richard F. Corbisiero, Jr., Executive Director John Dailey, Director of Policy and Planning Victor A. Cocozziello, Director of Wagering Systems

David Vaughan, Counsel

Herman Kluge, Director of Audits and

Investigations

Dean Alfange, Special Assistant to the Chairman

Robert Feuerstein, Assistant Counsel

Jacob Iberger, Chief of Racing Operations James Gallagher, Confidential Racing Aide

Danny Goldberg, Chief of Licensing

Eileen Clarke, OTB Operations Coordinator

Ted Garrison, Assistant Counsel

and

Thomas C. Davide, Secretary to the Board

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A. MINUTES:

- 1. The Board approved its minutes of Board meeting held on February 8, 1984.
- The Board approved its minutes of Special Board meeting held on March 12, 1984.

B. FOR ENTRY INTO THE MINUTES:

- 1. APPRENTICE ALLOWANCE EXTENSION JOCKEY DECLAN MURPHY. For entry into the minutes, the Board's prior approval of February 29, 1984 of request by Jockey Declan Murphy for a 26 day extension of his apprentice allowance, due to expire on March 4, 1984. This request is a result of days lost due to a race incurred injury on March 19, 1983. He was certified to resume race riding on April 15, 1983. His new apprentice allowance expiration date will be March 30, 1984.
- 2. SARATOGA RACEWAY MANURE COMPOSTING BUILDING. For entry into the minutes, the Board's prior approval of February 8, 1984 of request by Saratoga Raceway for approval of construction of the new manure composting building and a nearby storage building. (A copy of the plans for the manure composting building are on file in the Secretary's office.)
- 3. CAPITAL OTB SARATOGA HARNESS. For entry into the minutes, the Board's prior approval of February 23, 1984 of request by Capital District Off-Track Betting Corporation to broadcast live audio calls from Saratoga Harness into selected branches.
- 4. BUFFALO RACEWAY ADDITIONAL RACING DAYS. For entry into the minutes, the Board's prior approval of February 23, 1984 of request by Buffalo Raceway to add two racing days (February 28 and 29, 1984) to its racing program for its Winter meet.
- 5. BATAVIA DOWNS LICENSE AMENDMENT. For entry into the minutes, the Board's prior approval of February 23, 1984 of request by Batavia Downs to amend its license application, as outlined in their letter of February 21, 1984.
- 6. NYRA ST. PATRICK'S DAY. For entry into the minutes, the Board's prior approval of February 23, 1984 of request by New York Racing Association to offer free Grandstand admission or \$2.00 off Clubhouse admission for March 24 and March 31, 1984 as consolation prizes in conjunction with a contest to be held on St. Patrick's Day, March 17, 1984.

- 7. BATAVIA DOWNS LATE DOUBLE WAGERING. For entry into the minutes, the Board's prior approval of February 23, 1984 of request by Batavia Downs to reinstitute the late double wagering for each race day at Batavia Downs as outlined in their letter of February 21, 1984.
- 8. YONKERS RACEWAY T.V. RAFFLE. For entry into the minutes, the Board's prior approval of February 29, 1984 of request by Yonkers Raceway to hold a raffle for a free color television on both Wednesday, February 29, 1984 and Wednesday, March 28, 1984 to analyze the demographics of their patrons. Yonkers Raceway will provide boxes outside the track so that the general public may enter this contest.
- 9. YONKERS RACEWAY HAPPY HOUR. For entry into the minutes, the Board's prior approval of February 29, 1984 of request by Yonkers Raceway for a Happy Hour in the J. Butler Saloon, every Friday from 5:30 p.m. to 7:30 p.m. for the remainder of the meeting as outlined in their letter of February 15, 1984.
- 10. NYRA INVITATIONAL HANDICAPPER'S CHALLENGE XI. For entry into the minutes, the Board's prior approvla of March 2, 1984 of request by New York Racing Association for approval of the Invitational Handicapper's Challenge XI scheduled to begin on March 3, 1984 and the final scheduled for Saturday and Sunday, April 7 and 8, 1984.
- 11. NYRA MAILING PROMOTION. For entry into the minutes, the Board's prior approval of March 2, 1984 of request by New York Racing Association for a promotion whereby they are planning a mailing which will offer recipients reduced rates on certain charges as outlined in their letter of February 23, 1984.
- 12. WESTERN REGION OTB PICK-3 WAGERING AT BATAVIA. For entry into the minutes, the Board's prior approval of March 2, 1984 of request by Western Region Off-Track Betting Corporation for approval of Pick-3 wagering at Batavia Downs.
- 13. IN THE MATTER OF GARY LEONARDI. For entry into the minutes, the Board's prior confirmation of March 9, 1984 of a suspension in the matter of Gary Leonardi. This action is taken pursuant to Sections 309 and 321 of the Racing, Pari-Mutuel Wagering and Breeding Law, 9NYCRR Section 4120.2, 4120.4, 4120.5 and 4120.6 (a) (1) and Subdivision 3 of Section 401 of the State Administrative Procedure Act, upon a finding by the Board on March 9, 1984.

C. FOR BOARD APPROVAL:

1. WESTERN REGION OTB - NEW DIRECTORS. The Board approved the request by Western Region Off-Track Betting Corporation to appoint Roger E. Reinhart and John Tarbrake as the new Directors representing Schuyler and Chautaugua Counties.

- 2. NYRA BOARD OF TRUSTEES. The Board approved the request by New York Racing Association in accordance with paragraph seven of the Articles of Incorporation of NYRA, and pursuant to Section 202 of the New York Racing, Pari-Mutuel Wagering and Breeding Law, to have Mrs. Viola Sommer assume a position on the NYRA Board of Trustess.
- 3. RULE PROPOSAL HORSE IDENTIFICATION. The Board proposed the submitted change in rule 4003.32 (Horse Identification, examination) Racing Associations (under the direction of the Jockey Club,) shall institute and diligently maintain a system of horse indentification and physical examination.
- 4. RULE PROPOSALS 4119.11, 4042.5 and 4233.5. The Board deferred the request for proposal of Rule 4119.11 (Harness), 4042.5 (Thoroughbred), and 4233.5 (Quarterhorse) prohibiting persons from driving a horse in a race or riding on a horse in a race while there is a "controlled substance" within the body of such person.
- 5. NYRA STEWARD OF THE JOCKEY CLUB. The Board approved the request by New York Racing Association for approval of the following appointments: W. Richard McLaughlin Steward; Robert F. Kelly, Jr. Alternate Steward; William T. O'Connor Alternate Steward; and Charles P. Sullivan Alternate Steward.
- 6. YONKERS RACEWAY LICENSE AMENDMENT. The Board deferred the request by Yonkers Raceway to offer additional exacta and quinella wagers as follows: add quinella wagering to the 1st, 3rd, 4th, 5th, 6th, 7th, 8th, 9th and 10th races; add exacta wagering to the 1st and 2nd races.
- 7. FINGER LAKES CAPITAL IMPROVEMENTS. The Board deferred the request by Finger Lakes Racing Association to add a new accustical ceiling in the entire clubhouse and recessed lighting and speaker system to the list of capital improvements as outlined in their letter of January 26, 1984.
- 8. SYRACUSE MILE ELITIST CUP #1 OPEN. The Board approved the request by Syracuse Mile for conditions for the "Elitist Cup", as outlined in their letter of February 1, 1984.
- 9. SARATOGA HARNESS DUNBAR W. BOSTWICK SERIES. The Board approved the request by Saratoga Harness for conditions for the 1984 Dunbar W. Bostwick Series, as outlined in their letter of February 14, 1984.
- 10. HEARING OFFICER REPORT IN THE MATTER OF CARL E. DUGAN.
 The Board approved the Hearing Officer's recommendation that the judges' decision be confirmed and the relief sought by appellant be denied.
- 11. HEARING OFFICER REPORT IN THE MATTER OF HARRY HARVEY.

 The Board approved the Hearing Officer's recommendation that the judges' decision be confirmed.

- 12. HEARING OFFICER REPORT IN THE MATTER OF FRANK COPPOLA,

 JR. The Board confirmed the Hearing Officer's recommendation
 of a 8 day suspension imposed on Mr. Coppola and the placing
 of his horse "Moon Express" from its fourth place finish to
 eighth place.
- 13. JOCKEY CLUB STEWARDS FOR FINGER LAKES. The Board approved the request by Jockey Club for approval of Mr. Richard Hanson as Steward at Finger Lakes Racing Association and Richard Coyne as the alternate Steward.
- 14. SARATOGA RACEWAY PADDOCK PARI-MUTUEL WINDOWS. The Board denied the request by Saratoga Raceway to install four mutuel windows in their paddock for use by the horsemen.
- 15. SARATOGA HARNESS 30 DAY RULE WAIVER. The Board approved the request by Saratoga Harness to waive the 30 day rule as it pertains to all horses who have started at Saratoga during their Winter meeting.
- 16. HEARING OFFICER REPORT IN THE MATTER OF JOSEPH ZOLADZ.
 The Board confirmed the Hearing Officer's recommendation of disqualification of appellant's horse, "Grants Memory", from its first place finish to 7th and last.
- 17. NYRA SPORTSMAN'S PARK/WOOD MEMORIAL. The Board approved the request by New York Racing Association to enter into agreement with Sportsman's Park for the acceptance of parimutuel wagers on the Wood Memorial on April 21, 1984.
- 18. HARNESS HORSE BREEDERS ZWEIG MEMORIAL TROT #12. The Board approved the request by Harness Horse Breeders of New York State, Inc. for approval of the conditions for the Dr. Harry M. Zweig Memorial Trot #12.
- 19. BUFFALO RACEWAY LICENSE AMENDMENT. The Board approved the request by Buffalo Raceway to amend its license application as outlined in its letter of February 24, 1984. Also approved was its request for a 7:30 p.m. post parade on weekdays and 6:00 p.m. post parade on Sundays.
- 20. SARATOGA RACEWAY HAPPY HOUR. The Board approved the request by Saratoga Raceway for a "Happy Hour" promotion whereby they offer free format and admission between 5 p.m. and 6 p.m. during the remainder of their Winter meet.
- 21. BATAVIA DOWNS ADDITIONAL DATES. The Board approved the request by Batavia Downs to add July 31, 1984 and August 1, 1984 to their racing schedule in as much as Buffalo Raceway has now requested not to race these two days.
- 22. CAPITAL DISTRICT OTB PROMOTION. The Board denied the request by Capital District Off-Track Betting Corporation to distribute free lottery tickets to OTB customers by bringing in a coupon from the local newspaper and placing a minimum \$2.00 bet at either the Saranac Lake or Malone parlor, both Franklin County.

- 23. WESTERN REGION OTB NEW DIRECTOR. The Board deferred the request by Western Region Off-Track Betting Corporation to appoint Paul E. Skully as a new Director representing the City of Buffalo.
- 24. CATSKILL OTB ROOSEVELT RACEWAY. The Board deferred the request by Catskill District Off-Track Betting Corporation to provide live race calls from Roosevelt Raceway into selected parlors in Catskill Region.
- NEW YORK CITY OTB PIMLICO RACE COURSE. The Board approved the request by New York City Off-Track Betting Corporation to accept wagering on Pimlico Race Course on Tuesdays when NYRA is dark and to broadcast delayed audio calls into its branches.

D. FOR BOARD NOTICE AND INFORMATION:

- 1. NYS REGISTER February 15, 1984, re: Preference Dates to Qualify to Race in Harness Racing NOTED.
- Memo of N. Rudolph to T. Davide, dated February 14, 1984, re: Relocation of Western Region's Headquarters - NOTED.
- Memo of J. Iberger to R. Corbisiero, dated February 6, 1984, re: Batavia Downs - Capital Improvement Fund - NOTED.